IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

Bail Appl..No. 2209 of 2007()

(CRIME No. 139/2006 OF CHEVAYUR POLICE STATION)

PETITIONER/ACCUSED NO.3:

RIYAS V,S/O.HASSAN,AGED 27 YEARS,
MANILAPARAMBATH HOUSE,P.O 6TH MILE,VELLIPARAMBA,
PERUVAYAL AMSOM,NOW RESIDING AT THAIKANDY HOUSE,
L.V COLONY,KABALAKKAD,WAYANAD.

BY ADV. SRI.SUNNY MATHEW

RESPONDENT/COMPLAINANT:

THE STATE OF KERALA THROUGH THE
CIRCLE INSPECTOR OF POLICE,CHEVAYUR POLICE
STATION,REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 2209/2007

Dated this 12th day of April, 2007

O R D E R

The petitioner who is the third accused in crime No.139/2006 of Chevayur police station for offences punishable under Sections 366-A and 376(2)(g) of IPC, seeks his enlargement on bail.

2. The learned Public Prosecutor opposed the application.

3. The case of the prosecution is that the 15 year old victim, who was escaped from a juvenile home, eloped with A1 and A2 on 17.6.2006. When she was arrested, she revealed the fact that she was ravished by accused Nos. 1 to 3. Accused Nos. 1 and 2 had taken her to the house of A3, the petitioner herein, who also had carnal intercourse with her. The petitioner was arrested on 15.3.2007.

4. Having regard to the facts and circumstances, I am inclined to grant bail to the petitioner, but from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 20.4.2007, on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M-I, Kozhikode and subject to the following conditions:

(a). The petitioner shall report before the Investigating Officer between 9 am. and 11 am. on all Wednesdays.

(b). The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

(c). The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

(d). The petitioner shall not commit any offence while on bail.

5. If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs